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1 evidence that no condition or combination of conditions will reasonably assure the  
2 appearance of Defendant as required.

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4 Defendant has strong incentive to flee. He faces serious charges in this case: 7  
5 counts of bank fraud, 1 count of aggravated identity theft, 17 counts of theft of  
6 government property, and 17 counts of passing forged Treasury checks. According to the  
7 indictment, he engaged in an ongoing scheme between April 2015 and August 2017, in  
8 which he opened three different lawyer trust accounts at three different banks. He  
9 allegedly deposited a total of \$1,312,272.21 in 21 fraudulent tax refund checks, including  
10 a single check for \$1,003,814. The Government has marshaled compelling evidence of  
11 Defendant's guilt on these charges, including copies of the checks, bank records on wire  
12 transfers, and surveillance footage of him depositing the million-dollar check. If  
13 convicted on these charges, Defendant faces a statutory maximum prison sentence of  
14 over 500 years. The Government's conservative calculation of the sentencing guideline  
15 range exceeds ten years in prison. Defendant is 44 years old and has spent no meaningful  
16 time in custody. Avoiding a lengthy prison sentence is ample reason for him to flee.

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18 Defendant also has the means and know-how to abscond. He has a valid passport  
19 and a history of international travel. He has traveled to Belize, Germany, England,  
20 Jamaica, and Mexico, including trips within the last 10 years. He has used aliases and  
21 false identification to engage in fraudulent criminal activity in the past.

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23 Most troublingly, Defendant has a history of disrespect and disregard for the law.  
24 He repeatedly failed to appear for hearings before the State Bar and in federal and state  
25 court. In 2010, the State Bar suspended his law license on the basis of five counts of  
26 misconduct in three matters. Among other misconduct, he violated a court order, failed  
27 to appear at three hearings, and improperly deposited \$163,074.62 in settlement funds  
28 without his clients' authorization. Recently, Defendant was arrested on a warrant issued

1 by Judge John A. Kronstadt for failing to follow court orders and pay sanctions.  
2 Defendant had failed to appear for a scheduling conference, provided no explanation for  
3 his absence, and then failed to appear for a second hearing entering default judgment  
4 against his client.

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6 And currently, Defendant is facing very serious charges for conspiring to bribe  
7 witnesses and induce perjury arising out of his representation of the notorious record  
8 producer Marion “Suge” Knight, who was charged with the murder of record label owner  
9 Terry Carter and the attempted murder of filmmaker Cle “Bone” Sloan. Defendant  
10 allegedly conspired to pay a law enforcement informant if he testified that he saw guns at  
11 the murder scene and personally offered to write the false declaration for the informant to  
12 sign. But even being the target of law enforcement in that high profile murder case  
13 apparently did not deter Defendant from violating the law. Indeed, just weeks after the  
14 state prosecutor publicly accused him of witness tampering and subornation of perjury in  
15 the Suge Knight case, Defendant had the audacity to deposit the fraudulent million-dollar  
16 check at issue in this case.

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18 Simply stated, Defendant’s strong incentive to flee, his means and know-how to  
19 abscond, and his extensive, troubling history of disrespect and disregard for the law  
20 convince this Court that no condition or combination of conditions could reasonably  
21 assure Defendant’s appearance at trial.

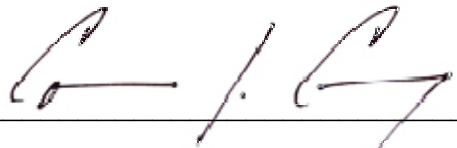
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23 **IT IS THEREFORE ORDERED** that Defendant be detained prior to trial.

24 **IT IS FURTHER ORDERED** that Defendant be committed to the custody of the  
25 Attorney General for confinement in a corrections facility separate, to the extent  
26 practicable, from persons awaiting or serving sentences or being held in custody pending  
27 appeal.

1           **IT IS FURTHER ORDERED** that Defendant be afforded reasonable opportunity  
2 for private consultation with counsel.

3           **IT IS FURTHER ORDERED** that, on order of a Court of the United States or on  
4 request of any attorney for the Government, the person in charge of the corrections  
5 facility in which Defendant is confined deliver Defendant to a United States marshal for  
6 the purpose of an appearance in connection with a court proceeding.

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10 DATED:     October 29, 2018

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13 CORMAC J. CARNEY  
14 UNITED STATES DISTRICT JUDGE  
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